

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BILLY HERSHELL SMITH, II

Defendant.

Case No.: CR 17-12-RAW

Date: 07/31/2017

Time: 2:07 PM – 2:24 PM

MINUTE SHEET CHANGE of PLEA

U.S. Magistrate Judge Kimberly E. West Allison Winkle, Deputy Clerk Ken Sidwell, Reporter
FTR Courtroom: 3 - Room 432

Counsel for Plaintiff: Edward Snow, AUSA

Counsel for Defendant: William P. Widell, Jr., AFDPD

Defendant appears in person: ☒ with Counsel; ☐ Counsel waived; ☐ w/o Counsel;

Defendant: ☒ Sworn

☒ Consent to Proceed before U. S. Magistrate Judge executed by defendant and filed.

☒ Defendant advised of charges and possible penalties

☒ Guideline estimates discussed

☒ Defendant entered guilty plea to Counts 1 & 2 of the Indictment

☐ Plea Agreement: ☐ terms orally disclosed ☐ written plea agreement filed ☐ no written plea agreement

☐ Motion for Additional One Point Reduction for Acceptance of Responsibility filed by Government

☐ Remaining Count(s) to be dismissed at sentencing: Count(s) _____

Defendant waived: ☐ Indictment; ☒ Jury Trial; ☐ Speedy Trial; ☐ 30 Days Preparation;

☐ Separate Representation; ☒ Waivers accepted by Court

☒ Defendant waived right to having jury determine facts used to enhance Defendant's sentence and consents to the sentencing judge to determine those facts

☒ Defendant related facts of charge; ☒ Government agreed Defendant's statements meet elements of offense

☒ Court findings: ☒ Defendant found mentally competent to understand charges and proceedings

☒ Factual basis for Defendant's plea;

☒ Defendant is guilty as charged as to Counts 1 & 2 of the Indictment

☒ PSI Ordered Probation Officer: E. Hilton

☐ Defendant released on _____ bond with pretrial supervision (re: Order Setting Conditions of Release)

☐ Defendant allowed to stand on present bond; ☐ Government stipulates, findings made

☒ Defendant remanded to custody of U.S. Marshal

☐ The sound recording for this hearing has been reviewed for completeness and correctness. The recording is a true and accurate record of these proceedings: **